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Docket No.: KCC-14,859

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mary Lucille DeLUCIA, et al.

Serial No.: 09/871,118

Filing Date: 31 May 2001

Title: STRUCTURED MATERIAL AND
METHOD OF PRODUCING THE SAME

Customer No. 35844

Group No. 1733

Examiner: J. Rossi

INTERVIEW SUMMARY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants' attorney thanks the Examiner for the courtesy of the telephone interview on 14 January 2005. During the interview, the rejections based on prior art were discussed, along with the Request For Reconsideration filed 23 December 2004. The prior art discussed included U.S. Patent 6,217,889 to Lorenzi et al., U.S. Patent 4,636,419 to Madsen et al., U.S. Patent 3,925,127 to Yoshioka, and European Publication 0,687,757 to Srinivasan et al.

As to the rejection based on 35 U.S.C. §112, Applicants' attorney understands that the issue has been resolved.

As to the rejections based on 35 U.S.C. §102(b) and §103(a), Applicants' attorney understands that the rejections will be reconsidered. The reconsideration will include a review of the presently cited prior art as well as other prior art that the Examiner is aware of.

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

17 Jan 2005

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Date

Marshall J. Patton
Signature

The discussion focused on the limitation in every independent claim requiring the second layer (which comprises a film) to include a plurality of pores which are smaller than the fiber loop pores in the first layer. Applicants believe that the prior art does not disclose this limitation. Lorenzi et al. (which incorporates Madsen et al. by reference) discloses a second layer which is a scrim layer. As shown in the drawings of Madsen et al., and as understood in the art, scrim layers typically have large openings such that the area covered by the openings exceeds the area covered by fibers or film sections between the openings. There is no suggestion of a scrim layer having pores which are smaller than fiber loop pores in an adjacent layer.

Yoshioka et al. and Srinivisan et al. both disclose laminates in which the center (film) layer and the outer (fibrous) layers are co-apertured using an embossing process or a similar process involving heat and pressure. These co-aperturing processes inherently strengthen and reinforce the bonding between the layers in the vicinity of the apertures. Layers which are bonded together are physically prevented from exhibiting differential shrinkage in the bonded regions. Any differential shrinkage of layers generally occurs only in unbonded regions (i.e., regions between the bonds). Thus, neither reference teaches an embodiment where a film layer has pores smaller than the fiber loop pores in an adjacent layer.

Furthermore, the term "fiber loop pores" is not generally understood to mean apertures. Instead, fiber loop pores are the openings between fibers which form when a fibrous material is retracted.

Applicants believe that the claims are in condition for allowance, and sincerely appreciate the opportunity to discuss these issues.

Respectfully submitted,



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